2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

30 April 2010

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Note verbale dated 29 April 2010 from the Permanent Mission of Ukraine to the United Nations addressed to the Secretary-General of the Conference

The Permanent Mission of Ukraine to the United Nations presents its compliments to the Secretary-General of the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons and has the honour to transmit herewith the text entitled "Ministerial Declaration on Non-Proliferation", adopted on 2 December 2009, in the framework of the Ministerial Council of the Organization for Security and Cooperation in Europe (see annex).

The Permanent Mission of Ukraine to the United Nations requests that the present note and its annex be circulated as a working paper of the 2010 Review Conference.

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Annex

Organization for Security and Cooperation in Europe

Ministerial Council

Athens, 2009

Ministerial Declaration on Non-Proliferation

We, the members of the Ministerial Council of the Organization for Security and Cooperation in Europe (OSCE), recalling OSCE commitments on non-proliferation, emphasize that the proliferation of nuclear, chemical and biological weapons and their means of delivery constitutes a threat to international peace and security. The international non-proliferation regime faces major challenges. We are committed to continue to address them resolutely.

We welcome and reaffirm our commitment to United Nations Security Council resolution 1887 (2009) to take further steps with a view to preventing the proliferation of weapons of mass destruction and their means of delivery. We recognize the role of the United Nations Security Council in addressing threats to international peace and security arising from non-compliance with non-proliferation obligations. We remain seriously concerned that some States do not comply fully with relevant United Nations Security Council resolutions and call upon them to do so without delay.

We are also gravely concerned by the threat of illicit trafficking in nuclear,* chemical, or biological weapons and their means of delivery, and related materials, which adds a new dimension to the issue of proliferation of such weapons and also poses a threat to international peace and security.

We endorse universal adherence to the international treaties and conventions aiming at preventing and prohibiting the proliferation of weapons of mass destruction. In this regard, we call upon all States still not parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT), the Comprehensive Nuclear-Test-Ban Treaty (CTBT), the Biological and Toxin Weapons Convention (BTWC) and the Chemical Weapons Convention (CWC) to become parties thereto.

We are strongly committed to effective and full implementation of the NPT. We reaffirm that the NPT remains the cornerstone of the nuclear non-proliferation regime and an essential foundation for the pursuit of nuclear disarmament and peaceful uses of nuclear energy. We will work to achieve a successful NPT Review Conference in May 2010 and to strengthen the Treaty and its three mutually reinforcing pillars.

We reaffirm the commitment of our countries to seeking a safer world for all and to creating conditions for a world without nuclear weapons in accordance with the goals of the NPT. In this context, we welcome the historical decisions taken by States in the OSCE area to renounce voluntarily nuclear arsenals as well as the establishment of nuclear-weapon-free zones. We also acknowledge that reaching a new legally binding agreement between the Russian Federation and the United States of America on further strategic arms reductions and limitations to replace the START Treaty, expiring in December 2009, will be a vital contribution to this

endeavour. We recognize that the non-proliferation of nuclear weapons and nuclear disarmament are mutually reinforcing.

We acknowledge security assurances provided by the nuclear-weapon States, as noted in Security Council resolution 984 (1995), and recognize that these security assurances strengthen the nuclear non-proliferation regime.

We support the universalization and strengthening of the International Atomic Energy Agency (IAEA) safeguards system and verification regime, in particular through the adoption and implementation by States, which have yet to do so, of the Comprehensive Safeguards Agreement, together with the Additional Protocol, which should become a universally accepted verification standard for non-proliferation compliance. In this regard, we reaffirm that effective export controls, together with the IAEA safeguards, are essential to prevent nuclear proliferation.

We encourage the work of IAEA on multilateral approaches to the nuclear fuel cycle, including assurances of nuclear fuel supply, as an effective means of addressing the expanded need for nuclear fuel services, while taking into account the necessity to minimize the risk of proliferation. In this regard, we appreciate the initiatives recently put forward by some and supported by all OSCE participating States.

We call for universal adherence to the Convention on the Physical Protection of Nuclear Material and its 2005 Amendment, and the Convention for the Suppression of Acts of Nuclear Terrorism. We also call for States to improve their national capabilities to detect, deter and disrupt illicit trafficking in nuclear materials throughout their territories, and endorse the IAEA efforts, within its nuclear security programme, to improve nuclear security, protect against nuclear terrorism and promote international cooperation with regard.

We reiterate our commitment to promoting full and effective implementation of Security Council resolution 1540 (2004), as well as our ongoing dialogue with the Committee established pursuant to it. In this context, we pledge our continued support to the ongoing Security Council resolution 1540 (2004) comprehensive review process, Committee's and regional efforts to facilitate its implementation, including through providing effective assistance to those States that require it.

We will continue our efforts to strengthen the BTWC. We welcome the ongoing progress under the CWC and highlight the vital importance of the full and effective implementation of the Convention.

We agree to further improve national nuclear export control policies by supporting and, where possible, strengthening the guidelines of the Zangger Committee and the Nuclear Suppliers Group. We support the guidelines of the Missile Technology Control Regime and undertake to control the export of missiles, technology and equipment in accordance with the guidelines.

We are committed to take all appropriate national measures in accordance with our national authorities and legislation, and consistent with international law, to prevent proliferation financing and shipments, to strengthen export controls, to secure sensitive materials, and to control access to intangible transfers of technology.

We remain fully committed to the early entry into force of the CTBT. Pending its entry into force, we call upon all States to abide by a moratorium on nuclear-

weapon test explosions and to refrain from any action contrary to the obligations and provisions of the CTBT.

We welcome the adoption by consensus of a programme of work in the Conference on Disarmament and stress the urgent need for the Conference to commence on this basis its substantive work in early 2010, including negotiations on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices. In the meantime, we call upon all States concerned to declare and uphold an immediate moratorium on the production of such material.

We reiterate our readiness to further enhance and strengthen existing international legal instruments against the proliferation of weapons of mass destruction in the OSCE area through the broadest possible multilateral support. In this context, we will continue to take appropriate actions, consistent with national legal authorities and obligations under relevant international legal framework, to strengthen the implementation of the respective commitments through our legislation, regulations and procedures, and to exchange information, inter alia, and as appropriate, in the context of a security dialogue within OSCE about practical measures for strengthening the global non-proliferation regime.